IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

WA.No. 1203 of 2007()

AGAINST THE JUDGEMENT IN WPC.10001/2007 Dated 30/03/2007

APPELLANT: PETITIONER IN THE WPC

M/S.PYRAMID INFRASTRUCTURE PVT. LTD.,
NAVAL ACADEMY PROJECT, EZHIMALA P.O.,
RAMANTHALI, KANNUR DISTRICT REPRESENTED BY
ITS AUTHORISED SIGNATORY N.SURENDRA.

BY ADV. SRI.V.P.SUKUMAR

RESPONDENTS: RESPONDENTS IN THE WPC
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1. THE COMMERCIAL TAX OFFICER (WC & LT),
KANNUR.

2. THE STATE OF KERALA, REPRESENTED
BY THE SECRETARY TO GOVERNMENT, TAXES (D)
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY SPECIAL GOVERNMENT PLEADER FOR TAX SRI.V,V,ASHOKAN

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 24/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.A. NO. 1203 OF 2007

Dated this the 24th day of May, 2007

JUDGMENT

H.L.DATTU, C.J.

Learned Government Pleader is directed to take notice for the respondents and is permitted to file a memo of appearance within six weeks from today.

2. Learned senior counsel, after arguing the matter for quite some time, seeks leave of the Court to withdraw the appeal. Permission is granted and the appeal is disposed of as withdrawn. However, liberty is reserved to the appellant to file a revision petition before the revisional authority against the impugned order (Ext.P4) as provided under Section 36 of the Kerala General Sales Tax Act, 1963 within a month's time from today. If such a revision petition is filed within the time granted, the revisional authority is directed to consider the same on merits within three

months from the date of filing of the revision petition. All the contentions are left open.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/